

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JONATHON M. MARK,

Plaintiff,

v.

Case No. 05-C-0586

JOHN HUSZ, *et al.*,

Defendants.

ORDER OF DISMISSAL

Plaintiff Jonathon M. Mark brought a civil rights action pursuant to 42 U.S.C. § 1983. By its Order of June 6, 2005, the court dismissed plaintiff's original complaint for failure to comply with Fed. R. Civ. P. 8(a) and 10(b). Plaintiff thereafter filed an amended complaint, which the court gave him until November 4, 2005, to serve. On October 17, 2005, plaintiff wrote to the court to inform it that he had not effected service and to request an extension of the time therefor. The court obliged by extending the deadline for service to January 3, 2006.

Plaintiff has filed two notices which, liberally construed, aver that copies of the complaint will be mailed to the defendants at a future date. These notices do not prove service consistent with the requirements of Fed. R. Civ. P. 4(e) or Wis. Stat. § 801.11. Because plaintiff has failed to make service within the allotted time, this case will be **DISMISSED**, without prejudice.

SO ORDERED this 1st day of February, 2006.

s/ William C. Griesbach
William C. Griesbach
United States District Judge